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Items of Interest in Seed Control

Fall 1998

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Seed Regulatory and Testing Branch
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HIGHLIGHTS OF FISCAL YEAR 1998 ACTIVITIES

The following are some highlights of Seed Regulatory and Testing Branch (SRTB) activities during fiscal year 1998 (October 1, 1997, through September 30, 1998). We received 507 Federal Seed Act (FSA) complaints and made 589 FSA cases. A complaint often results in more than one FSA case when we find that the seed was shipped in interstate commerce more than once. During the year we closed 563 cases. We wrote letters of warning on 363 cases, settled 100 cases with penalties totaling \$44,775, waived monetary penalties on 24 cases, and held 14 cases in abeyance pending the future performance of the shippers involved. We took no FSA action on 62 cases because no violation of the FSA was established. We ended the year with 525 cases pending.

The SRTB's Testing Section (the Federal Seed Laboratory) received a total of 3,780 samples to test including 2,139 FSA samples, 216 check tests, and 1,425 service samples.

A few other highlights include:

- SRTB staffers conducted a one-week Federal Seed Analyst School in Georgia.
- A staff member represented the United States as voting delegate at the International Seed Testing Association (ISTA) Congress.
- A staff member conducted a two-day variety-testing workshop in Pretoria, South Africa (prior to the ISTA meeting in that country).
- SRTB staff members gave at least seven presentations at various seed testing, seed control, and seed industry meetings.
- We checked approximately 1,300 proposed variety names for compliance with the FSA and cleared 954 of those for use as variety names.
- We completed evaluating nearly 2,000 plots of 12 different crops for trueness-to-variety (TTV).
- We provided more than 1,600 specimens from the Reserve Seed Collection to international, Federal, State, and private seed laboratories.
- We published four quarterly issues of the Items of Interest in Seed Control and mailed to approximately 300 seed control, seed testing, seed certification officials, and other interested parties.
- We published 725 copies of the State Noxious-Weed Seeds Recognized in the Administration of the Federal Seed Act and mailed to seed analysts, seed control, and seed industry personnel.
- We reprinted the Federal Seed Act and mailed copies to seed control officials.

USDA PROPOSES AMENDMENTS TO THE FEDERAL SEED ACT REGULATIONS

The U.S. Department of Agriculture has proposed amending the FSA regulations. The proposed amendments would make seeds of species listed in the Federal Noxious Weed Act (FNWA) noxious under the FSA and would also update the seed testing and seed certification regulations. Dr. Enrique Figueroa, administrator of USDA's Agricultural Marketing Service (AMS), said updating the seed testing and seed certification regulations will incorporate the latest testing and certification procedures and will remove potential conflicts between State and Federal procedures that could inhibit the movement of seed. Adding the federally listed weeds to the FSA gives States and AMS a means to help prevent the spread of these highly destructive weeds, Figueroa added.

When the amendments are adopted, the current regulations will be changed to designate seeds of kinds listed in the FNWA as noxious in agricultural and vegetable seed; add two kinds and testing procedures for them to the FSA; add canola as an acceptable synonym of certain kinds of winter rape seed and annual rape seed; add southernpea as an acceptable synonym for the vegetable crop, cowpea; change purity calculations for coated seed; change the classification of *Juncus spp.* capsules; require retesting when germination replicates exceed permitted variation; modify the germination testing procedures for buffalograss, crambe, and crownvetch; modify seed certification regulations regarding labeling requirements for lawn seed mixtures and seed in small containers; and add genetic standards for chemically assisted hybrid cotton.

USDA will have a hearing on the proposed amendments December 2, 1998, at 10:00 a.m., at USDA Headquarters, Room 2096, South Building, 14th and Independence SW., Washington, D.C. The details of the proposal were published in the October 20 Federal Register. Additionally, each State seed control official has been mailed a copy of the proposed changes, and the changes are available on our Internet web page.

Written comments on the proposal should be sent to James P. Triplitt, Chief, Seed Regulatory and Testing Branch, Room 209, Building 306, BARC-East, Beltsville, Maryland 20705-2325 or faxed to (301) 504-5454. Comments must be received by December 21, 1998. For more information, contact James Triplitt at (301) 504-9430.

SEED REGULATORY AND TESTING BRANCH'S WEB PAGE

The SRTB home page can be accessed on the World Wide Web at <http://www.ams.usda.gov/lsg/seed/ls-sd.htm>. The web page has the following categories:

General Information - Contains general information about the SRTB including the SRTB customer service standards and how to contact SRTB personnel.

FSA and Regulations - Has the text of the FSA, the FSA Regulations, and the Federal Register document proposing changes to the FSA Regulations.

Service Testing - Gives information on how to send seed samples to us for a service test and how much we charge for the test.

Publications - Gives information on publications that can either be downloaded or are otherwise obtained from the SRTB.

Variety Naming - Provides information how to request a check of proposed variety names for potential conflicts and for compliance with the FSA.

AMS News Releases - Provides a link to the latest news releases from AMS.

TRUENESS-TO-VARIETY TESTING PROGRAM FOR 1999

The following are crops tentatively planned for next year's TTV testing. In the near future, we will be sending out a request letter to each state with the complete list, sample sizes, and cut-off dates.

Test Site	Crop	Minimum Sample Size Grams	Cut-Off Date
Maryland	sweet corn	50	April 15
South Dakota	spring small grains: oat, wheat, barley	30	April 15
Virginia	field corn	50	April 15
Louisiana	cowpea	40	May 1
Texas	sorghum millet	25 1	May 15
Florida	radish (fall) lettuce (fall)	2 0.5	August 15
Georgia	winter small grains (fall)	50	October 1
Kansas	winter small grains (fall)	30	October 1

FEDERAL SEED SCHOOL

The SRTB conducted a Federal Seed School in Fort Collins, CO, during the week of October 5-9, 1998. The school was hosted by the Colorado State Seed Laboratory and held in the facilities of USDA, Agricultural Research Service (ARS), National Seed Storage Laboratory, which acted as co-host. We thank them for hosting the school and for all their efforts that made it a success. Botanists Susan Maxon and David Bitzel of the SRTB's Testing Section provided instruction to 25 seed analysts during the week-long course. Eight USDA-ARS employees attended the seed school, six seed analyst participants were from seed laboratories of four State departments of agriculture (Arizona, Colorado, New Mexico, and Wyoming), four analysts were from two State crop improvement associations (Illinois and Kansas), and seven analysts came from five commercial seed laboratories located in two states (California and Colorado). The participants' experience level ranged from about one

year to more than 20 years. Training topics were selected to suit the interests of the participants and included purity testing, seed identification, noxious-weed seed examination, tetrazolium testing, and germination testing of species commonly tested by the participating laboratories. The majority of the seed school involved hands-on work by the participants.

SRTB regularly provides training for seed analysts as part of our function to promote uniformity in seed testing under the FSA. We have accepted an invitation by the Minnesota Crop Improvement Association, Minneapolis, for May 1999. The exact dates have yet to be determined. If you would like to receive the announcement letter for the workshop in Minneapolis, please notify Richard Payne (301-504-8089; fax 301-504-8098; E-mail Richard_C_Payne@usda.gov).

FEDERAL SEED ACT CASES SETTLED

The following cases were settled administratively under the FSA between July 1 and September 30, 1998. Under the administrative settlement procedure, the SRTB and the firms agreed to settle the cases for the amount specified with the firms neither admitting nor denying the charges:

- Discount Farm Center, Inc., Watertown, SD has paid \$17,150 for a case involving 26 seed shipments. The alleged violations, while not the same for all shipments, were false labeling of purity, noxious-weed seeds, and germination percentage; shipping seed containing prohibited noxious-weed seed and noxious-weed seed in excess of State's limit; failure to show the presence of each noxious-weed seed; and failure to show required information for a seed component. Seed regulatory officials in Kentucky, Maryland, Missouri, Oklahoma, and Wisconsin cooperated in the initial sampling and inspection.
- Missouri Southern Seed Corporation, Rolla, MO has paid \$2,000 for a case involving five seed shipments. The alleged violations, while not the same for all shipments, were false labeling of germination percentage, origin, noxious-weed seeds, purity, and as a "lot of seed"; failure to show required information for a seed component; failure to show the presence of each noxious-weed seed; and failure to keep required records. Seed regulatory officials in Arkansas, Illinois, Kentucky, and Nebraska cooperated in the initial sampling and inspection.
- Richardson Seeds, Inc., Vega, TX has paid \$1,375 for a case involving four seed shipments. The alleged violations, while not the same for all shipments, were false purity, germination, and test date labeling; misleading labeling, labeling a brand and a variety with the same name; failure to test within the required time before shipment and to keep required records. Seed regulatory officials in Missouri, Oklahoma, and Virginia cooperated in the initial sampling and inspection.

RYEGRASS FLUORESCENCE LIST

We have not received any changes from the National Grass Variety Review Board since our last issue.

<u>Perennial Ryegrass Variety Name</u>	<u>Percent Varietal Fluorescence</u>	<u>Perennial Ryegrass Variety Name</u>	<u>Percent Varietal Fluorescence</u>	<u>Perennial Ryegrass Variety Name</u>	<u>Percent Varietal Fluorescence</u>
246	0.27%	Headstart	2.09%	Shining Star	0.10%
2CB	1.97%	Imagine	1.31%	Sonata	1.20%
856	0.87%	ISI-MBH ¹	1.27%	SR 4100	0.37%
89-90	2.15%	ISI-RUPR (Gator II) ¹	2.50%	SR 4200	0.34%
90-14 ¹	7.12%	Laredo ¹	0.53%	Stallion Select	2.37%
A7 White ¹	2.19%	Legacy	0.37%	Stallion Supreme	1.16%
Academy	2.33%	Lindsay	1.72%	Stardance	1.90%
Accent	0.56%	Line Drive	2.72%	Statesman	1.27%
Accolade	4.83%	Linn	5.00%	Statesman II	8.42%
Accord	4.08%	Lowgrow	1.31%	Target	3.28%
Achiever	0.93%	Lowgrow II	1.35%	Tonga	11.53%
Advent	0.14%	LRF-94-C8 ¹	0.64%	Top Hat	0.77%
Affinity	0.77%	Lynx	4.19%	Topeka	2.34%
Agresso	2.00%	Magic	1.21%	Tove	17.48%
All*Star	0.47%	Majesty	1.59%	Twister	3.85%
Allaire II	1.15%	Manhattan II	0.65%	Vantage	2.19%
APM	0.59%	Manhattan 3	0.88%	Vivid	1.24%
Aquarius	0.97%	Mardi Gras	1.07%	Wild Dance	1.17%
Archer	1.51%	Morningstar	0.87%	Wind Star	0.47%
Assure	0.72%	Mulligan	1.86%	Wizard	2.57%
Bedford	1.40%	Navajo	0.37%	WVPB-93-KFK ¹	3.84%
Bella	0.65%	Newlinn	5.85%	WVPB-PR-92-4 ¹	5.48%
Blackhawk	1.17%	NightHawk	1.39%	WVPB-PR-C-2, C-2 ¹	8.65%
Blazer III	1.18%	Nobility	7.53%	Yorktown III	1.42%
Boardwalk	2.72%	Nomad	1.03%		
Breeze	1.57%	Nova	1.00%	Annual Ryegrass	Percent Varietal Fluorescence
Brightstar	1.79%	Omega 3	0.73%	Florida 80	98.89%
Brightstar II	2.24%	Omni	0.51%	Grazer	99.78%
Buccaneer	7.44%	Pageant	2.22%	Gulf	99.02%
C-21	6.28%	Palmer	1.04%	Jackson	98.80%
Caliente	0.74%	Palmer II	1.51%	Magnolia	*
Calypso	1.29%	Palmer III	0.23%	Marshall	96.00%
Calypso II	0.47%	Panther	1.18%	Rio ¹	98.97%
Catalina	3.18%	Passport	1.06%	Surrey	98.91%
Cathedral	0.85%	Patriot II	0.42%	TAM 90	98.45%
Chaparral	1.62%	Pearl	1.86%		
Charger II	0.54%	Pegasus	2.41%		
Charisma	2.39%	Pennant	0.50%		
Chatham ¹	2.11%	Pennant II	1.63%	1 Experimental Designation and/or Variety	
Citation III	0.96%	PICK Lp Q-93 ¹	6.44%		
Commander	1.02%	Pick PR 15-91 (Jiffie) ¹	6.06%		
Cutter	1.65%	Pleasure	4.09%	* Exempt from varietal fluorescence testing calculations.	
Dancer	0.78%	PR8820	0.79%		
Dandy	2.00%	Prelude	1.72%		
Delaware Dwarf	2.60%	Prelude II	2.25%		
Derby Supreme	2.85%	Prelude III	0.59%		
Dillon	4.14%	Prizm	0.71%		
Divine	3.09%	Protocol	4.30%		
Edge	1.73%	Quickstart	0.18%		
Elegance	1.51%	R2	1.25%		
Elf	0.75%	Regency	0.99%		
Elite	4.84%	Repell	0.33%		
Envy	0.22%	Repell II	1.56%		
Equal	1.98%	Repell III	0.80%		
Evening Shade	1.17%	Reveille	2.00%		
Excel	1.53%	Riviera	0.58%		
Express	4.00%	Riviera II	1.08%		
Fiesta II	1.14%	Roadrunner	2.53%		
Gator	0.88%	Rodeo II	2.47%		
Gettysburg	2.74%	Saturn II	0.85%		
Greenland	1.20%	Seville	0.33%		
Grimalda	2.00%	Sherwood	1.08%		

DON ATOR

We are sorry to report that former SRTB Branch Chief Don Ator passed away on October 11, 1998, in Texas. He served as branch chief from November 1980 until September 1986. A native Texan, Don had worked for the Texas Department of Agriculture from 1969 until joining the SRTB. After leaving the SRTB, he returned to Texas and was the Executive Vice President of the Texas Seed Trade Association.

ADDRESS CORRECTION REQUESTED

If you find an error in your name, title, organization, or address on this or any other mail you receive from us, please send the correction and tell us on what correspondence the mistake was made. If you no longer wish to be on a mailing list, let us know that too.

Seed control officials: Please inform us when higher level personnel (i.e., Secretaries, Commissioners, Directors, etc.) changes are made, including address and title changes, so we can promptly update our records and mailing lists.

SUGGESTIONS FOR THE ITEMS OF INTEREST IN SEED CONTROL

We welcome ideas or articles you feel should be included in this publication. If you wish to submit an article, please send it to:

Don Dreyer
Attention: Items of Interest in Seed Control
Seed Regulatory and Testing Branch
Livestock and Seed Program, AMS, USDA
Room 209, Building 306, BARC-East
Beltsville, Maryland 20705-2325

PLANT VARIETY PROTECTION CERTIFICATES

The Plant Variety Protection Office has not added any variety certificates nor have any certificates expired since our last issue.

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